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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

MICHAEL R. MARCUS and VICTORIA L.
MARCUS,

Plaintiffs,

vs.

AIR & LIQUID SYSTEMS CORPORATION,
et al.,

Defendants.

Case No.: 4:22-cv-09058-HSG

[Alameda County Superior Court Case No.:
22CV021840]

**STIPULATION TO EXTEND
JURISDICTION OVER
CONDITIONALLY DISMISSED
DEFENDANT FLOWSERVE US, INC.,
solely as successor to ROCKWELL
MANUFACTURING COMPANY;
ORDER**

Courtroom: 02, 4th Floor

District Judge: Hon. Haywood S. Gilliam Jr.

Filed in State Court: November 15, 2022

Removed to NDCA: December 21, 2022

Trial Date: September 9, 2024.

1 **TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that Plaintiffs Michael R. Marcus and Victoria L. Marcus
3 (“Plaintiffs”) and Flowserve US, Inc., solely as successor to Rockwell Manufacturing Company
4 (“Defendant”) hereby stipulate as follows:

5 1. On November 15, 2022, Plaintiffs filed their Complaint for Personal Injury and
6 Loss of Consortium – Asbestos in the Superior Court of the State of California, Couty of
7 Alameda Case No. 22CV021840.

8 2. On December 21, 2022, the above action was removed to the United States
9 District Court, Northern District of California, Case No. 4:22-09058.

10 3. On August 06, 2024, Plaintiffs and Defendant reached an agreement of all claims
11 in this action.

12 4. On August 12, 2024, the Court granted an oral motion for a conditional dismissal
13 with prejudice as to Defendant Flowserve US, Inc., solely as successor to Rockwell
14 Manufacturing Company, with the Court retaining jurisdiction for 60 days.

15 5. While all terms of settlement are agreed upon, the terms of settlement are not yet
16 perfected. Plaintiffs and Defendant agree that this matter should not be litigated due to the
17 agreed-upon resolution.

18 6. Therefore, Plaintiffs and Defendant stipulate and request that this Court retain
19 jurisdiction over the matter as it pertains to Defendant Flowserve US, Inc., solely as successor
20 to Rockwell Manufacturing Company, for an additional forty-five (45) days.

21 DATED: October 10, 2024

Maune Raichle Hartley French & Mudd LLC

22 By: 
23 _____

Rabiah N. Oral
Attorney for Plaintiffs

1 DATED: October 10, 2024

Tucker Ellis, LLP

2 By: /s/ Nicole E. Gage

3 Nicole E. Gage

4 Attorney for Flowserve US, Inc., solely as
5 successor to Rockwell Manufacturing
6 Company

7 **LOCAL RULE 5-1(i)(3) SERVICE AND FILING OF PLEADINGS AND OTHER**
8 **PAPERS**

9 In accordance with L.R5-1(i)(3), I, Rabiah N. Oral, attest that all signatories identified
10 above, and on whose behalf the filing is submitted, concur in the filing's content and have
11 authorized the filing.

12 DATED: October 10, 2024

13 By: 

14 Rabiah N. Oral, Esq.
15 Attorney for Plaintiffs
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ORDER

Having read and considered the foregoing stipulation of parties, and good cause appearing:

PURSUANT TO STIPULATION, IT IS SO ORDERED that the terms of settlement between PLAINTIFFS and Defendant Flowserve US, Inc., solely as successor to Rockwell Manufacturing Company are to be perfected within forty-five (45) days of this order. The Court retains jurisdiction over the matter as it pertains to Defendant Flowserve US, Inc., solely as successor to Rockwell Manufacturing Company, for forty-five (45) days from the date of this order.

IT IS SO ORDERED.

DATED: 10/11/2024


Hon. Haywood S. Gilliam, Jr.
UNITED STATES DISTRICT COURT JUDGE